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17858 U.S. PTO
10/685831

October 14, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

"Express Mail" Receipt No. EL637787661US
Date of Deposit October 14, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Jennifer D. Ahearn
Jennifer Ahearn

Subject: Transmittal of Application for United States Letters Patent
Attorney Docket No. 30485-6

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Harry Edward Dempster

Entitled: Breakwater

Applicant claims small-entity status. The small-entity filing fee has been calculated as shown below:

	No. Filed	No. Extra	Small Entity Fee		Large Entity Fee	
Basic Fee				\$385.00		\$770.00
Total Claims	39 - 20	19	x \$43=	817.00	x \$86	
Ind. Claims	3 - 3		x \$9=		x \$18	
Mult. Ind. Claims			+ 145=		=290	
TOTAL				\$1,202.00		

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Enclosed are the following:

1. 43 pages of specification, claims and abstract;
2. 14 pages of drawings;
3. Executed Declaration and Power of Attorney;
4. Certification Under 35 U.S.C. § 122(b)(2)(B)(i); and
5. Check in the amount of \$1,202.00 to cover filing fees fees.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-3735. A duplicate copy of this sheet is enclosed.

- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 C.F.R. 1.17.


It is respectfully requested that the Commissioner accord the enclosed patent application a filing date and serial number.

Respectfully submitted,

Mitchell, Silberberg & Knupp LLP

Dated: October 14, 2003

By


Steven E. Shapiro
Registration No. 35,676

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

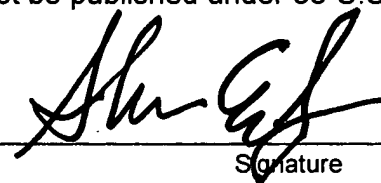
**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**First Named Inventor **Harry Edward Dempster**Title **Breakwater**Attorney Docket Number **30485-6**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 14, 2003

Date



Signature

(310) 312-2000

Telephone number

Steven E. Shapiro (35,676)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.